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ABSTRACT

This paper provides information on the use of assistive technology devices and services in the special education evaluation process and programming for students with disabilities. The legal responsibilities of the school district to consider assistive technology for the student during the evaluation process and as a possible service on the Individualized Education Program (IEP) is discussed and a list of possible IEP objectives for the student that may be accomplished only with the use of assistive technology is given, including: (1) access to a computer for word processing; (2) use of a spell checker for written composition exercises; (3) pencil grips to improve writing skills; (4) hand-held calculators for certain math assignments; (5) a lap board for students with physical disabilities; and (6) a cane for a student with blindness. Assistive technology issues in the implementation of the IEP, IEP review, personnel training, and funding are also addressed. The paper closes with answers to 26 frequently asked questions regarding assistive technology. (CR)

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The Provision of Assistive Technology for Students with Disabilities

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The purpose for this paper is to inform parents and educators regarding the use of assistive technology devices and services in the special education evaluation process and programming.

The information will be helpful in participating in developing the student's Individualized Education Program (IEP).

As defined in the federal special education regulations an assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. An assistive technology device means any item, piece of equipment, or product system, whether acquired commercially, off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability.

The term assistive technology device encompasses a broad range of assistive devices from "low tech" (Examples: pencil grips, markers, paper stabilizers), to "high tech" (Examples: voice synthesizers, Braille readers, computers) learning tools. The decision to determine if the student requires assistive technology in order to receive an appropriate educational opportunity is an IEP team decision. In making its decision, the IEP team must consider evaluation data and the individual student needs in relation to his/her education program.

Legal Responsibilities

The school district is legally responsible to consider assistive technology for the student during the evaluation process and as a possible service on the IEP. In accordance with the Individuals With Disabilities Education Act (IDEA), Amendments of 1997, schools are required to provide assistive technology devices or services to an eligible student if the IEP team determines that the student needs an assistive technology device and/or service to receive a free appropriate public education. The parent and student, when appropriate, should be a member of the IEP Team.

Evaluation

Assistive technology needs should be a consideration in the comprehensive assessment plan. If it is determined during the evaluation planning meeting or the IEP meeting that an assistive technology evaluation is needed, the school will provide for the evaluation. A school may utilize its own personnel or, if it participates in a special education unit, utilize unit staff to conduct the evaluation. In either case, individuals conducting the evaluation should be knowledgeable and have experience in conducting such assessments.

The assistive technology evaluation must be tailored to the unique needs of the student. In some cases, the evaluation may be conducted by a team of individuals; in other cases, the evaluation may be conducted by a single individual.

Multidisciplinary Team Meeting

The parent is part of the multidisciplinary team that reviews evaluation results and determines if the student has a disability that adversely affects educational performance and because of that disability needs special education. The team will also discuss whether an assistive technology evaluation is

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needed.

Individualized Education Program

The data gathered from the comprehensive evaluation conducted by the multidisciplinary team must be utilized in the development of the IEP. Therefore, if an assistive technology evaluation was conducted as part of the comprehensive evaluation, IEP team members must consider the results and recommendations of the evaluation when developing the IEP.

Some IEP objectives for the student may be accomplished only with the use of assistive technology.

Examples could include:

- access to a computer for word processing.
- use of a spell checker for written composition exercises.
- pencil grips to improve writing skills.
- hand-held calculators for certain math assignments.
- a lap board for students with physical disabilities.
- a cane for a student who is blind.

The IEP team determines what assistive technology is necessary for the student.

Implementation of IEP

Consideration should be given for day-to-day equipment operation and maintenance, such as who will check that the equipment is operating, repairs are required, or if backup equipment is needed. It is important to identify a person who will be responsible for monitoring the assistive technology device as well as its implementation. This person may be the special education teacher or another member of the staff who is knowledgeable of the student's program and the device(s) used. A contingency plan should be in place in case a piece of equipment breaks down.

IEP Review

The student's IEP should be reviewed at least annually. As part of the IEP, there should be a review of the effectiveness of assistive technology that has been implemented and whether or not any revisions need to be made.

Reviews should also occur if the assistive technology is not working or if the IEP team determines the student is ready to use to another technology device or service. A review is particularly important if the student is transitioning to a new educational environment. New staff members should be trained, and the new setting needs to be analyzed to ensure the assistive technology is compatible to that setting.

Training

School personnel who work with the student should have training on the operation and maintenance of the assistive technology devices that the student uses.

Depending on the type of assistive technology used by the student, it may be an advantage to share that information with the student's peer group. Such training will help fellow students to gain an understanding of the student's assistive device, foster acceptance in the social environment, and reduce fears other students may have about socializing with the student who uses technology.

Prior to peer group awareness training, the instruction should be discussed with the parent and the student. The school should invite the parent to participate in the sessions.

Funding

If the student is eligible for special education and requires assistive technology to receive a free appropriate public education, the school must provide or arrange for the provision of the appropriate assistive technology and services at no cost to the parent(s).

Some health insurance plans will buy equipment, but it depends on the policy. The parents must give permission to use their private insurance. Generally, the equipment must be considered medically necessary; therefore a doctor's prescription will be required. Parents' private health insurance and/or Medicaid can be used to pay for assistive technology aids and services.

Questions and Answers

These are some frequently asked questions regarding assistive technology.

1. Q. Are schools required to pay for assistive technology devices and services?

A. It is the responsibility of the school district to provide the equipment, services, or programs identified in the IEP. The school district may pay for the equipment, service, or programs itself, utilize other resources to provide and/or pay for the device and/or services, or cooperatively fund the device(s) and or services. Other resources may include, but are not limited to, Medicaid, foundations, fraternal organizations, church or social groups, charitable organizations, businesses and individuals.

2. Q. Can schools require the parents to pay for assistive technology device(s) or service(s) identified in their student's IEP or require the parents to use their own private health insurance to pay for the device and/or services?

A. The "free" in "free appropriate public education" is extremely significant regarding students with disabilities who may require assistive technology devices or services. As stated in IDEA and its regulations, all special education and related services identified in the student's IEP must be provided "at no cost to the parents."

3. Q. Who owns the assistive technology that is purchased for the student?

A. If the school district purchases the equipment, the equipment belongs to the school. If the device(s) is purchased by using private insurance, then the device belongs to the parent and is meant for the exclusive use of the student. If the device was donated to the school, the IEP team decides ownership.

4. Q. Can the student take the assistive technology device(s) owned by the school to their home?

A. Yes, if the IEP team determines that the student needs access to an assistive technology device at home to implement the educational program, the student may take it home. For example, a student with a physical disability may not be able to complete homework assignments without access to a calculator at home.

5. Q. When the student moves from one level of schooling to another, such as from elementary school to middle school, does the device follow the student?

A. If an assistive device is necessary to fulfill the requirements of the student's IEP, such a device must be provided in the school the student attends. The same device may not necessarily follow the student from one school to another, but a comparable device that fulfills the IEP requirements will be needed in the new school.

6. Q. When a student is transitioned from school to employment or other post-school environments, what happens to the assistive technology device?

A. If the school district paid for the device, the school would need to make that decision.

7. Q. If a device is broken and is beyond repair, who replaces the broken device?

A. If an assistive device is necessary for the student's IEP to be implemented, the school district will have to replace a broken device. If the device is broken at home through negligence, the parents could be held responsible for the repair costs.

8. Q. Does the student have access to assistive technology aids and services if they are eligible for extended school year services?

A. Yes, if the IEP team determines that the assistive technology is needed as part of the extended school year services, then the student needs access to the assistive technology.

9. Q. Is a school district responsible for providing "state of the art" equipment for the student?

A. No. However the school must provide appropriate technology for the student's needs to ensure a free appropriate public education. The decision regarding as to what type of assistive technology is appropriate should be based on the assistive technology evaluation recommendations and IEP team decision. If a less-expensive device would accomplish the same goals, the IEP team is under no obligation to choose a more expensive option.

10. Q. Can an assistive technology device be used by more than one student?

A. Yes, an assistive technology device may be shared if it is the property of the school and each student who requires use of the device has access to it as needed.

11. Q. Can the school require the student to bring a personally owned assistive device, such as a laptop computer to school to do schoolwork?

A. No. However, the family may wish the student to use his/her own equipment in school since he/she may be most familiar or comfortable with it. The IEP team should decide who is responsible for repair and maintenance of family-owned devices.

12. Q. How can school districts use Medicaid funds to purchase assistive technology devices?

A. A parent's private insurance must be accessed before Medicaid can be used for assistive technology devices. However, the parent must give permission to access private insurance. Medicaid funds can be used according to Medicaid regulations.

13. Q. If a piece of assistive technology is no longer needed or relevant to a student and the device was paid for by private insurance, can it be donated for another student's benefit?

A. Yes, it is a parental decision. The parent(s) could donate the device to the school for use by other students with disabilities.

14. Q. Are schools responsible for customization, maintenance, repair, and replacement of assistive technology devices?

A. Assistive technology services such as customization, maintenance, repair, and replacement are included as considerations in the acquisition of equipment or devices purchased/provided by the school. An exception to repair would be if the student was negligent with the assistive technology device.

If family-owned assistive technology is used by the school and is listed in the IEP as necessary for providing free appropriate public education, the school might also be responsible for maintenance, repair, and replacement. Responsibilities for these services should be discussed at the IEP meeting and identified in the IEP notes or the IEP document.

15. Q. What about the warranty for new equipment?

A. The school should check the length of the warranty and find out exactly what is covered. One-year warranties are common. Extended warranties and service contracts will probably be available. For some devices, the manufacturer suggests annual maintenance. School districts should weigh the cost of warranties with the cost of the device.

16. Q. Should assistive devices be insured?

A. It is in the school district's best interest to have insurance, however, cost of insurance versus the item(s) expense should be considered.

17. Q. If a school district decides to develop a team of professionals to review assistive technology needs, who should be included?

A. A school district assistive technology team may include some or all of the following: parents, student, special education teacher, occupational therapist, speech/language pathologist, physical therapist, administrator/principal, general education teacher, school nurse, and maintenance worker. These individuals should periodically receive training regarding the effective use of assistive technology.

18. Q. Under what circumstances may assistive technology be considered a related service?

A. Assistive technology can be a related service if the service is necessary for the student to benefit from his or her education. Training of staff, parents and the student would be an example of a related service benefiting the student.

19. Q. Can the IEP Team refuse to consider assistive technology devices on the IEP?

A. IEP teams have the responsibility to determine a student's need for assistive technology devices and services, and for specifying those devices and services. Therefore, it is important that IEP teams are informed of this requirement to determine if a student needs a device and the need for an assistive technology evaluation to assist in making the determination.

20. Q. How is assistive technology integrated into the curriculum?

A. The IEP team needs to discuss how the device will be used by the student and how it will be integrated into the curriculum. The IEP team should identify in the IEP document how the device will be used by the student in the classroom. This information should be shared with the general classroom teachers, who are members of the IEP team, so that they are aware of how it is to be used. Assistive technology should be used to help the student be involved in and progress from the general education curriculum.

21. Q. How can continuity be achieved in the student's program with regard to assistive technology devices and services from classroom to classroom, teacher to teacher, school to school, year to year?

A. Each student's IEP must be reviewed no less than annually. At the review, the IEP team should discuss and identify personnel training needs as they relate to the student's movement through the school program. This will help to provide continuity. For example, schools may assign case managers to oversee this process, or IEPs may describe the processes as they relate to individual students.

22. Q. How can one distinguish between assistive technology and personal items (e.g., wheelchairs,

hearing aids, crutches).

A. Currently, IDEA does not make a distinction between assistive technology devices and personal items. This stems in large part to IDEA's broad definition of assistive technology. If a student with a disability needs a hearing aid to ensure FAPE, then the school district and parents need to work together to find fiscal resources to purchase the item.

23. Q. If a student needs a computer, can a school-owned computer be used in the lab or classroom?

A. Yes, if the student has access to the equipment as needed. If the student does not have the necessary access, then the appropriate equipment should be purchased for the student's use. The IEP team will decide as a group the need and use of computers on a case-by-case basis.

24. Q. Can an independent evaluation be requested to address assistive technology?

A. Yes. The school district is required to evaluate a student in all areas of suspected disability including, if appropriate, evaluating the student's need for assistive technology. A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the school. However, the school may initiate a hearing to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense. Individuals conducting the evaluation must be knowledgeable and have experience in conducting these assessments. If the parent obtains an independent educational evaluation at private expense, the results of the evaluation (1) must be considered by the public agency in any decision made with respect to the provision of FAPE to the student; and (2) may be presented as evidence at a hearing under this subpart regarding the student.

25. Q. What is a product system?

A. A product system is more than one piece of equipment working together to produce a result. Examples: an FM system utilized in conjunction with a student's hearing aid to provide amplification in the classroom or a computer with a voice synthesizer.

26. Q. Will the student become too dependent on technology and not learn to use the skills they have?

A. Assistive technology should be used as support for access, learning, and performing daily tasks. If assistive technology is necessary for a student to have access to educational opportunities or to benefit from education, then it is a legitimate support. Some skills are too laborious or taxing to accomplish at a rate or with degree of proficiency to allow for participation in the least restrictive environment. With assistive technology, the student can participate more fully and more closely approximate the levels of achievement and interaction of his or her peers.

References

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